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EXPRESS MAIL LABEL NO. EO 909 480 745 US  
PATENT  
00SC137US8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: DeNatale et al.

Serial No. 10/676,875

Examiner: B. Rojas

Filed: September 30, 2003

Art Unit: 2832

Title: 1:N MEM SWITCH MODULE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL FOR  
RESPONSE TO ELECTION REQUIREMENT**

Sir:

In response to the Office Action dated May 3, 2005, enclosed is a Response to Election Requirement. The Commissioner is authorized to charge any fees that may be due in connection with the Response, to Deposit Account No. 18-1750. A duplicate of this sheet is enclosed.

Respectfully submitted,

Steven C. Patrick  
Registration No. 40,341  
Attorney for Applicant

May 17, 2005

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Certificate of Mailing 37 CFR §1.10  
EO909480745US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450:

Date: 5/18/05

By: *Jeanette E. Cassidy*



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**RESPONSE TO ELECTION REQUIREMENT**

Sir:

An Office Action dated May 3, 2005 and received for the above-identified application requires the applicant to elect a single species from among four identified by the Examiner.

The applicants would first like to identify what appears to be an error in the Office Action. The Examiner states that Embodiment 1 corresponds to "FIG. 1 - a MEM 1:4 switch module in accordance with the present invention." FIG. 1 is actually a schematic of a prior art 1:2 MEM switching arrangement applied to a 2-bit phase shifter circuit, and it is so labeled in the specification and on the figure itself. Presumably, the Examiner meant to refer to FIG. 2, which does show a MEM 1:4 switch module in accordance with the present invention.

The Office Action compels us to elect one of the identified species. Accordingly, the applicants elect:

Embodiment 1: FIG. 2 - a MEM 1:4 switch module in accordance with the present invention.

The following claims read on Embodiment 1:

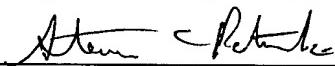
- claims 1-17
- claim 21

The Examiner states that there are at present no generic claims. The applicants respectfully disagree, and assert that claim 1 is, in fact, a generic claim. Claim 1 is directed to the basic switch module structure illustrated shown in FIG. 2. FIG. 3 is minor variation of the embodiment shown in FIG. 2: the same basic switch module structure is employed, with the only difference being that signal output lines 26 are extended to the side.

With respect to FIGs. 4 and 5, these are simply exemplary applications of the switch module shown in FIG. 2 and claimed in claim 1: the same core structure shown in FIG. 2 is used to create respective phase shifters.

Since the basic switch module recited in claim 1 is common to all the embodiments shown, it is asserted that claim 1 is properly considered to be a generic claim.

Respectfully submitted,

  
\_\_\_\_\_  
Steven C. Patrick  
Registration No. 40,341  
Attorney for Applicant

May 17, 2005

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